

**Agenda Item:** \_\_\_\_\_

**2015-16 Additional Migratory Bird Regulations**

**Committee:** Regulations

**Date:** October 21, 2015

**Explanation:**

Additional migratory bird regulations were proposed in July 2015 but inadvertently left out of the August 2015 migratory bird regulations approvals. These regulations were re-proposed in September to allow appropriate legal notice for public comment with final approval at the October Commission Meeting.

**Prepared by:** Luke Naylor

## 2015-2016 Additional Migratory Bird Regulations Approvals

Proposed Changes - Red Ink

Proposed Calendar Adjustments – Orange Ink

Proposed Code Clarifications - Blue Ink

### 20.07 PERMIT REQUIREMENTS ON CERTAIN WMAs

06-15 It is unlawful to take or attempt to take wildlife during an open season on certain WMAs without first obtaining the required permit ([Codes 20.16](#); [20.17](#) and [Addendum Chapter C1.00](#)) and as specified below:

- (A) A permit is required on Bald Knob, Big Lake, Cache River, Felsenthal, Holla Bend, Overflow, Pond Creek and Wapanocca NWRs; **Bayou Meto WMA**, Crossett Experimental Forest WMA; and U of A Pine Tree Experimental Station WDA.
- (B) A leased land permit is required for persons 16 years and older to camp, hunt or trap wildlife on Big Timber, Casey Jones, Cherokee, Gum Flats, Howard County, [Jack Mountain](#), Jim Kress, Lafayette County (except no permit is required to camp on Lafayette County), Lake Greeson (no permit is required for mobility impaired hunters hunting during the mobility impaired permit hunt) and Provo Leased Lands WMAs.
- (C) A permit is required to camp, hunt, fish, or for the operation of an ATV on Dale Bumpers White River NWR.
- (D) A permit is required for persons 16 years and older to hunt or trap on the Sweet Sixteen WMAs: Bayou Meto, Dave Donaldson Black River, Dr. Lester Sitzes, III Bois d'Arc, Ed Gordon Point Remove, Freddie Black Choctaw Island WMA Deer Research Area, Harold E. Alexander Spring River, Henry Gray Hurricane Lake, Hope Upland, McIlroy Madison County, Mike Freeze Wattensaw, Moro Big Pine Natural Area, Rick Evans Grandview Prairie, Scott Henderson Gulf Mountain, Sheffield Nelson Dagmar, Shirey Bay Rainey Brake and Trusten Holder WMAs.

**PENALTY: Class 1**

### 24.01 MIGRATORY WATERFOWL HUNTING ACCESS TIME

#### 08-12 RESTRICTIONS ON WMAs

It is unlawful to take or attempt to take migratory waterfowl on WMAs after noon or remain on water-inundated areas or water courses on WMAs after 1 p.m. from the first day of the first segment of regular duck season to the last day of the last segment of regular duck season.

#### EXCEPTIONS:

- (1) Migratory waterfowl hunting is allowed during the entire day (regular shooting hours) of the last three days of the last duck season in compliance with Addenda B1.08; B1.13).
- (2) In compliance with Codes 11.04; 24.02 and Addendum B1.10.
- (3) All-day hunting is allowed on Beaver Lake, Dardanelle (except at the McKinnen Bottoms and Hartman waterfowl units), DeGray Lake, Fort Chaffee and Ozark Lake WMAs.
- (4) Navigational boating access is unrestricted on natural rivers on WMAs.
- (5) All migratory waterfowl hunting is closed on Maumelle River WMA.
- (6) Nimrod WMA lands lying outside Lloyd Millwood Greentree Reservoir ("Duck Area").
- (7) **Commission staff, volunteers and participants during Commission-sponsored mentored hunt programs.**

PENALTY: Class 1

**24.10**      **~~STEVE N. WILSON RAFT CREEK BOTTOMS WMA~~ WATERFOWL**

**05-02, 08-11**    **HUNTING PERMIT REQUIREMENTS ON CERTAIN WMAs**

It is unlawful from the first day of the first segment of regular duck season to the last day of the last segment of regular duck season, **including the Special Youth Waterfowl Hunt**, to enter a flooded area without possessing a signed ~~Steve N. Wilson Raft Creek Bottoms~~ Waterfowl Hunting Permit **on Freddie Black Choctaw Island WMA and Deer Research Area West Unit, the Conway George Tract on Sheffield Nelson Dagmar WMA and Steve N. Wilson Raft Creek Bottoms WMA.**

**EXCEPTIONS:**

- (1)**    No permit is required **on Steve N. Wilson Raft Creek Bottoms WMA** during the Special Youth Waterfowl Hunt in compliance with Addendum B1.13.
- (2)**    **Commission staff, volunteers and participants during Commission-sponsored mentored hunt programs.**

PENALTY: Class 1

**C1.12**      **SPECIAL USAGE RESTRICTIONS ON CERTAIN WMAs AND LAKES**

**04-15**

- (1) Restrictions Common to Multiple Listed WMAs and Lakes:
  - a. Common Restriction A: From the first day of the first segment of the regular duck season until the last three days of the last segment of regular duck season, (i) no entry or access is allowed from 2 a.m. to 4 a.m. (except in designated campsites, parking areas, boat launch ramps and designated boat staging areas) and (ii) no boats are allowed from 1 p.m. until 4 a.m. During the last three days of the last segment of regular duck season and during the special youth waterfowl hunt, (i) no entry or access is allowed from 2 a.m. to 4 a.m. (except in designated campsites, parking areas, boat launch ramps and designated boat staging areas) and (ii) no boats are allowed from 6:30 p.m. until 4 a.m.
- (2) Bayou Meto: Common Restriction A applies. Boats are prohibited on the Government Cypress Greentree Reservoir. During the regular duck season, boating access is allowed from 1 p.m. until 6:30 p.m. at the following waterbodies:
  - a. Mulberry Access, to include all of the Salt Bayou Ditch to the confluence of Little Bayou Meto.
  - b. Buckingham Flats Access to include Big Bayou Meto, and Cannon Brake Access to include Little Bayou Meto only on the Cannon Brake Impoundment.
- (3) Bell Slough: Common Restriction A applies.
- (4) Beryl Anthony Lower Ouachita: Common Restriction A applies (except within the Ouachita River).
- (5) Big Lake: Common Restriction A applies. Mallard Lake is closed to all hunting except for the special early teal season; fishing and non-hunting activities are allowed. During the regular duck season, boating access is allowed from 1 p.m. until 6:30 p.m. at the following waterbodies:
  - a. The north/south ditch, all lateral ditches and borrow pits.
- (6) Brewer Lake, Cypress Creek, Camp Robinson SUA and Cedar Creek: Closed to waterfowl hunting.
- (7) Camp Robinson: Common Restriction A applies.
- (8) Cane Creek Lake (Lincoln County): Waterfowl hunting ends at noon.
- (9) Coal Pile Lake: Closed to all hunting. Fishing and non-hunting activities are allowed.
- (10) Cut-Off Creek: Common Restriction A applies. Travel by boat is limited to Cut-Off Creek.
- (11) Cypress Bayou: Common Restriction A applies.
- (12) Dardanelle: Waterfowl hunting is not allowed on that part of Big Spadra and Little Spadra creeks lying north of the Missouri Pacific Railroad, east of Crawford Street, south of I-40, and west of Arkansas Highway 103. Dogs, hunting or trapping devices are prohibited on Johnson County WRA.

- (13) Dave Donaldson Black River: Common Restriction A applies (except within the Black River). Lake Ashbaugh and Hubble Lake are closed to all hunting, except both are open for the special early teal season; fishing and non-hunting activities are allowed. During the regular duck season, boating access is allowed from 1 p.m. until 6:30 p.m. at the following waterbodies:
- Any maintained ditch, borrow pit and/or canal adjacent to any maintained levee.
  - Big Slough, Gar Slough, Canoe Slough, Barnes Slough, Viney Slough, Little Viney Slough, T-Slough, Feeder Slough, Cross Slough, Cold Water Slough, Little River Cut-Off, Kincaid Slough, Rankine Slough, Woodland Slough, Allen Lake, Flat Lake, Mill Lake, Little River, Winchester Boat Run, and Pyrtle Boat Run.
- (14) DeGray Lake: Loaded firearms are prohibited on Lower DeGray Lake WRA except by permitted participants of special hunts.
- (15) Dr. Lester Sitzes III Bois d'Arc: Common Restriction A applies. Boats are not allowed on the Green Tree Waterfowl area 14 days before waterfowl season opens, but are allowed during waterfowl season.
- (16) Earl Buss Bayou DeView: Common Restriction A applies. Lake Hogue is closed to all hunting except for the special early teal season; fishing and non-hunting activities are allowed. During the regular duck season, boating access is allowed only from 1 p.m. until 6:30 p.m. at the following waterbodies:
- Thompson Tract boat ramp to include boat run.
  - North Oliver Campground primitive boat access to include the natural slough.
- (17) Ed Gordon Point Remove: Common Restriction A applies.
- (18) Freddie Black Choctaw Island WMA and Deer Research Area (both units): Common Restriction A applies (except within the Mississippi River).
- (19) Frog Bayou: Common Restriction A applies.
- (20) Harris Brake: Common Restriction A applies (except within Harris Brake Lake). Open to waterfowl hunting only Tuesday, Thursday, Saturday and Sunday. All-day hunting is allowed the last two days of the last duck season. During duck season, other hunters must abide by same hours and days as duck hunters, except for those trapping, deer archery hunting, squirrel hunting, and hunting furbearers at night. Only shotguns and archery equipment are allowed for hunting. Harris Brake Lake is open to Canada goose hunting every Sept. 1-15.
- (21) Henry Gray Hurricane Lake: Common Restriction A applies (except within the White River and Little Red River). During the regular duck season, when the main road gate at Mitchell Corner is closed, boating access is allowed from 1 p.m. until 6:30 p.m. at the following waterbodies:
- Glaise Creek (to include Glaise Creek access trail #2 from Mitchell Corner north boat ramp to the creek channel) from the WMA northern boundary to the main water-control structure at Whirl Lake.
  - Whirl Lake access, to include Whirl Creek.
- When the main road gate at Mitchell Corner is open, boating access is allowed from 1 p.m. until 6:30 p.m. at the following waterbodies:
- Big Bell Lake (to include Little Bell Lake), Big Hurricane Lake (to include Little Hurricane Lake), Bollie Pond, Glaise Creek, Honey Lake, Mallard Lake, Whirl Lake and Willow Pond.
- (22) Holland Bottoms: Common Restriction A applies (except within Tommy L. Sproles Lake Pickthorne).
- (23) Craig D. Campbell Lake Conway Reservoir: Closed to waterfowl hunting, except on the Caney Creek, Dix Creek, Palarm Creek, and Pierce Creek Bays outside posted buffer zones. Waterfowl hunting ends at noon.
- (24) Lake Overcup: Waterfowl hunting ends at noon.
- (25) Little Bayou: Common Restriction A applies.
- (26) Maumelle River: Closed to waterfowl hunting. All boating activities and access are prohibited in the Restricted Area Zone 1 on the east end of Lake Maumelle as marked by buoy lines. No hunting, camping or other access is allowed on any island on Lake Maumelle.
- (27) Petit Jean River: Common Restriction A applies (except within the Petit Jean River or Kingfisher Lake).

- (28) Rex Hancock Black Swamp: Common Restriction A applies. During the regular duck season, boating access is allowed from 1 p.m. until 6:30 p.m. at the following waterbodies:
- Gregory Access (from County Road 758) down the ditch to the Cache River.
  - Float Road Access (from County Road 752) down the marked trail to the Cache River.
  - Cache River within the boundaries of the WMA.
- (29) Rick Evans Grandview Prairie: Waterfowl hunting closed on all lakes and ponds.
- (30) Seven Devils: Common Restriction A applies.
- (31) Steve N. Wilson Raft Creek Bottoms: Common Restriction A applies. The Jim Sullivan Youth Waterfowl Unit is closed to all access, except for youth waterfowl hunting permit holders during youth waterfowl permit hunts, from the last day of the modern gun permit hunt to the last day of waterfowl season (including the waterfowl special youth hunt).
- (32) St. Francis National Forest: Waterfowl hunting ends at noon.
- (33) St. Francis Sunken Lands: The Snowden Field Waterfowl Rest Area levee is open to foot traffic around the north end of the unit.
- (34) Sheffield Nelson Dagmar: Common Restriction A applies. The Conway George Tract is closed to all access, except for waterfowl hunting permit holders. During the regular duck season, boating access is allowed from 1 p.m. until 6:30 p.m. at the following waterbodies:
- Robe Bayou Access to include from the WMA northern boundary to the low water crossing at Interstate 40.
  - Gator Pond Access to include only the open water pond area and not flooded timber.
  - Bayou DeView designated water trail.
- (35) Shirey Bay Rainey Brake: Common Restriction A applies (except within the Black River). During the regular duck season, boating access is allowed from 1 p.m. until 6:30 p.m. at the following waterbodies:
- Shirey Bay, Horseshoe Lake, and Hill Slough.
  - Diversion ditch from County Road 317 to the diversion ditch water-control structure.

**EXCEPTION:**

Fishing and non-hunting activities are allowed on Shirey Bay, Horseshoe Lake, and Hill Slough.

- (36) Sulphur River: Common Restriction A applies (except within the Sulphur River or Mercer Bayou).
- (37) Tommy L. Sproles Lake Pickthorne: Closed to waterfowl hunting.
- (38) Trusten Holder: Common Restriction A applies (except within the Arkansas River, Arkansas Post Canal, Merrisach Lake, Moore Bayou, or Post Lake).

**EXCEPTION:**

**Commission staff, volunteers and participants during Commission-sponsored mentored hunt programs.**

## FINANCIAL / ECONOMIC IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY  
(Attach additional pages if needed)

**DEPARTMENT:** Arkansas Game and Fish Commission

**BUREAU:** Wildlife Management

**PERSON COMPLETING THIS STATEMENT:** Brad Carner

**TELEPHONE #:** 501-223-6362 **FAX #:** 501-223-6452

**EMAIL:** bradley.carner@agfc.ar.gov

**SHORT TITLE OF THIS RULE:** 2015-2016 Additional Migratory Bird Regulations Proposals

1. Does this proposed, amended, or repealed rule or regulation have a financial impact?

Yes: X

No:

2. Do you believe that the development of a financial impact statement is so speculative as to be cost prohibitive? Yes: No: X If "Yes", please explain:

3. If the purpose of this rule is to implement a **federal** rule or regulation, please give the incremental cost for implementing the regulation. Please indicate if the cost provided is the cost of the program.

**Current Fiscal Year**

**Next Fiscal Year**

General Revenue

\$ 576,300

General Revenue

\$ N/A

Federal Funds

\$ 923,700

Federal Funds

\$ N/A

Cash Funds

\$ N/A

Cash Funds

\$ N/A

Special Revenue

\$ N/A

Special Revenue

\$ N/A

Other (Identify)

\$ N/A

Other (Identify)

\$ N/A

Total

\$ 1,500,000

Total

\$ N/A

4. What is the total estimated cost by fiscal year to any **party** subject to the proposed, amended, or repealed rule? (Estimated cost includes fees, administrative penalties, reporting, record keeping, equipment, construction, labor, professional services, revenue loss, or other costs associated with compliance.) Identify the **party** subject to the proposed rule, and explain how they are impacted.

**Current Fiscal Year:**

\$ 47

**Next Fiscal Year:** \$ N/A

Party Subject to Rule: Migratory Bird Hunters

Effect on Party Subject to Rule: Cost of license and stamps

5. What is the total estimated cost by fiscal year to the **agency** to implement this rule? Explain the financial benefit to the agency from implementing this rule.

**Current Fiscal Year:**

\$N/A

**Next Fiscal Year:** \$ N/A

Financial Benefit to Agency: N/A

6. Do alternative means exist for accomplishing the objectives of the rules that might be less burdensome to small business? Yes: No: ☒

Why were such alternatives not proposed: N/A

7. Compare this rule with federal and state counterparts: N/A

**ARKANSAS GAME AND FISH COMMISSION**  
Little Rock, Arkansas

|                  |                  |          |                                     |
|------------------|------------------|----------|-------------------------------------|
| MINUTE ORDER NO: |                  | SUBJECT: | 2015-2016 Additional Migratory Bird |
| DATE PASSED:     | October 22, 2015 |          | Regulations                         |
| PAGE     1   of  | 1                | PAGES    | LOCATION:   Statewide               |

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**WHEREAS,** the Arkansas Game and Fish Commission and its staff have proposed the attached regulations the 2015-2016 seasons for general waterfowl hunting; **and**

**WHEREAS,** the attached regulations have been communicated through a variety of media avenues to sportsmen and the general public throughout the state for review and comment for at least the past 30 days; **and**

**WHEREAS,** after carefully considering the recommendations of Commission staff and the Regulations Committee, as well as comments received from the public, the Commission has determined that the attached regulations promote sound wildlife conservation and management and are consistent with Amendment 35 of the Arkansas Constitution and that these regulations should now be approved for application statewide.

**NOW, THEREFORE, BE IT ORDERED** this 22<sup>nd</sup> day of October 2015, that the Arkansas Game and Fish Commission hereby approves and adopts the attached regulations, which shall become effective immediately upon public filing or as soon thereafter as possible.

**BE IT FURTHER ORDERED** that the Commission staff is authorized to proceed with legally certifying and filing the attached regulations with the Secretary of State, State Library, and Bureau of Legislative Research and incorporating them into the Commission Code Book and Addendum.

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**STAFF APPROVAL****COMMISSION APPROVAL****Submitted by:**

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Brad Carner  
Chief

\_\_\_\_\_  
Emon Mahony  
Chairman

\_\_\_\_\_  
Ken Reeves  
Commissioner

**Division:**

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Wildlife Management

\_\_\_\_\_  
Fred Brown  
Vice Chairman

\_\_\_\_\_  
Andrew Parker  
Commissioner

**Approved:**

\_\_\_\_\_  
Director

\_\_\_\_\_  
Steve Cook  
Commissioner

\_\_\_\_\_  
Joe Morgan  
Commissioner

**Approved:**

\_\_\_\_\_  
Legal

\_\_\_\_\_  
Ford Overton  
Commissioner

**Approved:**

\_\_\_\_\_  
Fiscal